

The Regular Meeting of the Troy City Planning Commission was called to order by Vice Chairman Littman at 7:32 P.M. on Tuesday, November 12, 2002, in the Council Chambers of the Troy City Hall.

1. ROLL CALL

Present:

Kramer (arrived at 7:40 P.M.)
Littman
Starr
Storrs
Vleck
Waller
Wright

Absent

Chamberlain
Pennington

Also Present:

Brent Savidant, Principal Planner
Susan Lancaster, Assistant City Attorney

2. PUBLIC COMMENTS

No public comments.

TABLED ITEM

3. SITE PLAN REVIEW (SU-316) – First United Methodist Church of Troy, Proposed Church Renovation and Addition, West side of Livernois, North of Square Lake, Section 4 – R-1B

Mr. Savidant presented a summary of the Planning Department report for the proposed church renovations and addition. Mr. Savidant explained that on October 15, 2002, the petitioner received a variance from the Board of Zoning Appeals (BZA) from the screen wall requirement for the north, west and south sides of the parking lot. In addition, the petitioner had previously received Special Use Approval and was seeking site plan approval.

The architect for the church, Constantine Pappas, 560 Kirts, Suite 116, indicated that the detention basin was moved out of the wetland area at the suggestion of the Planning Commission.

Mr. Storrs asked if the neighbor to the north was aware of this application.

Mr. Pappas responded that the applicant was in attendance at the BZA meeting and requested that the BZA grant the variance. Mr. Pappas stated that the site plan indicates that a row of arborvitae at least 4'6" in height will be planted on the church property north of the parking lot, along the entire length of the parking lot.

RESOLUTION

Moved by Wright

Seconded by Vleck

RESOLVED, that Preliminary Site Plan Approval, as requested for First United Methodist Church of Troy, proposed church renovation and addition, located on the west side of Livernois Road and north of Square Lake Road, located in Section 4, within the R-1B zoning district is hereby granted.

Yeas:
Littman
Starr
Storrs
Vleck
Wright
Waller

Nays:

Absent
Chamberlain
Pennington
Kramer (7:40 P.M.)

MOTION CARRIED

SITE CONDOMINIUM SITE PLANS

4. SITE CONDOMINIUM – PRELIMINARY APPROVAL – Proposed Turner Site Condominium, 4 units proposed, West side of Beach, North of Wattles, Section 18 – R-1A

Mr. Savidant explained the difference between a site condominium and a subdivision at the request of the Planning Commission Vice Chairman.

Mr. Storrs asked if site condominiums had to meet the requirements of the Zoning Ordinance in terms of minimum lot size, lot width, etc.

Mr. Savidant replied that they do.

Mr. Savidant presented a summary of the Planning Department report for the proposed 4-unit site condominium.

The petitioner, Paul Turner, 4199 Beach Road, Troy, MI, stated that the detention pond will be turned over to the city and will not require a fence.

Mr. Littman asked if the petitioner had submitted a snow removal plan as part of the application.

Mr. Savidant replied that it was not a requirement and had not been submitted.

Vice Chairman Littman opened the meeting for public comment.

Vince Kraus, 4260 Rouge Circle, asked if there was a requirement that people in the neighborhood be notified of site condominium applications.

Mr. Savidant explained that there was a requirement to place a sign on the property to notify neighbors of the application. There was also a requirement that all abutting property owners be notified by mail.

Mr. Kraus stated that he was affected by the development even though he was not abutting the property, as he must look across the Clinton River at the four homes. He further stated that he was concerned that other property owners in the area with relatively large lots could develop their property in a similar fashion.

Gary Weeks, 2512 Red Fox Trail, asked for further clarification of the difference between subdivisions and site condominiums. This clarification was provided by Mr. Littman and Mr. Savidant.

Richard Waters, 4222 Rouge Circle, asked if this was the final step in the approval process.

Mr. Littman stated that the Planning Commission was making a recommendation to City Council and City Council has the final decision on this application.

Ms. Lancaster stated that site condominium does not mean an increase in density, applications must still meet the requirements of the underlying R-1A zoning district, as would a subdivision. If the application meets the requirements of the zoning ordinance the Planning Commission must recommend approval.

Mr. Storrs asked if the City of Troy could choose to prohibit site condominiums, and to instead require similar types of development to be approved as subdivisions only.

Ms. Lancaster responded that site condominiums are permitted under state law and cannot be prohibited.

Mr. Wright explained that there are some relatively large lots on Beach Road, which is a very attractive area. He suggested that there may very well be similar applications to develop lots along Beach Road. He suggested that the only way to guarantee that a lot is not developed is to buy it.

RESOLUTION

Moved by Waller

Seconded by Starr

RESOLVED, that the Planning Commission recommends to City Council that the Preliminary Plan as submitted under Section 34.30.00 of the Zoning Ordinance (Unplatted One-Family Residential Development) for the development of a One-Family Residential Site Condominium, known as Turner Site Condominium, including 4 units and 2.86 acres in size, located on the west side of Beach Road

and north of Wattles Road, located in Section 18, within the R-1A zoning district is hereby granted.

FURTHERMORE, the following design recommendations are provided to City Management:

1. A document is created to explain the site condominium and subdivision process, to be available to the public at meetings and on the City of Troy web site.
2. Final approval of the application is subject to the approval by City Council of a 40 foot wide private easement for public access for River Park Drive, as required under Section 34.30.04.

Yeas:

All present (7)

Nays:

Absent

5. SITE CONDOMINIUM – PRELIMINARY APPROVAL – Proposed Colleen Site Condominium, 20 units proposed, South of Square Lake, West of Dequindre, Section 12 – R-1C

Mr. Savidant presented a summary of the Planning Department report for the proposed 20-unit site condominium. In the report he explained that the applicant submitted Preliminary Site Plan C1 for consideration. Preliminary Site Plan C1 has vehicular connections to both Ruby Avenue and Colleen Avenue. The applicant also provided two (2) alternative designs for the development, as requested by City Management. These alternatives were labeled Preliminary Site Plan C1a and C1b. Preliminary Site Plan C1a had a vehicular connection with Colleen Avenue but not Ruby Avenue. Preliminary Site Plan C1b had a vehicular connection to Ruby Avenue but not Colleen Avenue. The applicant was asked to select a preferred alternative and selected Preliminary Site Plan C1a, for reasons stated in a letter provided to the Planning Commission.

The petitioner's architect, John DeBruyne, 2201 12 Mile Road, Warren, stated that the original intent of the petitioner was to seek approval for Preliminary Site Plan C1.

Mr. Littman opened the meeting up for public comment.

Cathy Fleming, 5806 Marble Drive, asked about the status of the two lots to the north of the proposed development. She also indicated a concern for potential cut-through traffic in the existing neighborhood. She suggested that she preferred access on Colleen only.

Mr. DeBruyne stated that the parcels were not owned by the same entity as the petitioner.

Gary Reeves, 2896 Denise, stated that he would be opposed to alternative C1a. He is concerned about the intersection of Denise and Dequindre, which is a problem intersection.

Mr. Littman explained that the Planning Commission and City Council generally tried to have two points of access to residential traffic and had to balance accessibility with the potential for cut through traffic.

William Schmidt, 5757 Ruby Avenue, stated his concern for cut through traffic with Preliminary Site Plan C1. He preferred alternative C1b, even though he would likely benefit the most from alternative C1a. He also stated that he felt the developer should be required to connect directly to Square Lake Road. He asked if the illegal trucking operation in the excepted part of Lot 4 as shown on the site plan would be allowed to continue.

Ms. Lancaster informed Mr. Schmidt that this item was not an agenda item and not part of the application. She suggested that he call the City of Troy Building and Zoning Department for further information.

Mr. Schmidt asked if the unit sizes shown on the site plan can be modified by the developer at a later date following Preliminary Site Plan Approval.

Ms. Lancaster replied that the item before the Planning Commission was a site plan and therefore could not be changed following its approval without going back before the Planning Commission and City Council for further review.

Mr. Schmidt asked if the Planning Commission has jurisdiction over the design of the individual homes.

Ms. Lancaster replied that there are general design standards that are applicable to all single-family homes; however, the City has little control over aesthetics beyond these general standards.

Barry Johnson, 2835 E. Square Lake Road, believes that direct access to Square Lake Road will negatively impact existing traffic conditions on Square Lake Road.

Mr. Storrs stated that the direct connection to Square Lake Road was not a part of the application and not a consideration for approval for this application.

Mr. Kramer asked for verification on the floor area for the units shown on the site plan.

Ms. Lancaster reiterated that since the information is shown on the site plan, the applicant is bound by what is shown on the site plan.

Mr. Littman asked if traffic studies were required for site condominium applications.

Mr. Savidant replied that there was no requirement. The site plan was reviewed by the Traffic Engineer who did not express specific concerns regarding the Dequindre/Denise intersection.

RESOLUTION

Moved by Wright

Seconded by Waller

RESOLVED, that the Planning Commission recommends to City Council that the Preliminary Site Plan C1 as submitted under Section 34.30.00 of the Zoning Ordinance (Unplatted One-Family Residential Development) for the development of a One-Family Residential Site Condominium, known as Colleen Site Condominium, including 20 units and 7.5 acres in size, located south of Square Lake Road and west of Dequindre Road, located in Section 12, within the R-1C zoning district is hereby granted.

Yeas:

Nays:

Absent

All present (7)

SITE PLANS

6. SITE PLAN REVIEW (SP-884) – Troy Light Industrial Warehouse, Troy Ct., East of Livernois, South of Park, Section 34 – M-1

Mr. Savidant presented a summary of the Planning Department report for the proposed warehouse.

Peter Stuhlreyer, 111 W. 2nd Street, Rochester, stated that there will be no outdoor storage as per note #9 on the site plan.

RESOLUTION

Moved by Kramer

Seconded by Starr

RESOLVED, that Preliminary Site Plan Approval, as requested for the Troy Light Industrial Warehouse, located on Troy Court, east of Livernois Road and south of Park Street, located within Section 34 and the M-1 zoning, is hereby granted, subject to the following conditions:

1. One of the existing parking spaces near the eastern building entrance shall be widened to make it van-accessible.
2. If any changes are made to the site plan it must come back to the Planning Commission for further review.

Yeas:

Nays:

Absent:

All present (7)

7. PRELIMINARY SITE PLAN REVIEW (S.P. #868) – Dequindre Professional Building 1, 38815 Dequindre Road, Section 24 – O-1.

Mr. Savidant presented a summary of the Planning Department report for the proposed office development.

Mr. Kramer asked about the relationship between the slope of a detention pond and the volume of a detention pond.

The petitioner's Engineer, Steve Poirier, 23601, Inkster Road, Farmington Hills, stated that a steeper slope increases the footprint at the bottom of the pond and therefore increases the volume of the pond.

Mr. Starr asked what the effect of developing the detention pond with a 1 on 6 slope would have on the proposed development.

Mr. Poirier stated that they are applying to change only the depth of the detention pond, not the perimeter of the pond. They would lose a significant amount of parking spaces and would have to significantly reduce the size of the building if the slope was limited to 1 on 6. He described the type of screen wall that would be constructed and stated that grades between the property and abutting property would not be altered.

Mr. Starr reminded the applicant that they will need to provide access to the detention pond.

RESOLUTION

Moved by Waller

Seconded by Wright

RESOLVED, that Preliminary Site Plan Approval, as requested for the Dequindre Professional Building 1, located at 38815 Dequindre Road, south of Wattles Road, located within Section 24 and the O-1 zoning, is hereby granted, subject to the ornamental fence on the east, north and south sides of the detention pond being 6 feet in height.

Yeas:
All present (7)

Nays:

Absent:

SPECIAL USE REQUESTS

8. PUBLIC HEARING – SPECIAL USE REQUEST (SU-317) – Classic & Exotic (Auto) Services, Inc., North of Maple and West of Livernois (2032 Heidi), Section 28 – M-1

Mr. Savidant presented a summary of the Planning Department report for the proposed automobile renovation. He also passed around photographs of some of the classic automobiles that have been renovated by the applicant.

The petitioner, Brian Jordan, 841 Hannah, stated that all operations and storage would be located inside the building.

PUBLIC HEARING OPENED

No public comment.

PUBLIC HEARING CLOSED

RESOLUTION

Moved by Vleck

Seconded by Storrs

RESOLVED, that Special Use Approval, pursuant to Section 10.30.04 of the zoning ordinance, as requested for the Classic & Exotic (Auto) Services, Inc., for the proposed antique automobile restoration operation, located at 2032 Heidi Street, north of Maple Road and west of Livernois, located in Section 28, within the M-1 zoning district, is hereby granted.

Yeas:

Nays:

Absent:

All present (7)

RESOLUTION

Moved by Vleck

Seconded by Storrs

RESOLVED, that Preliminary Site Plan Approval, as requested for the Classic & Exotic (Auto) Services, Inc., for the proposed antique automobile restoration operation, located at 2032 Heidi Street, north of Maple Road and west of Livernois, located in Section 28, within the M-1 zoning district, is hereby granted.

Yeas:

Nays:

Absent:

All present (7)

9. PUBLIC HEARING – SPECIAL USE REQUEST (SU-313) – Trainer's Obedience Center, East side of Troy Ct. and South of Park, Section 34 – M-1

Mr. Savidant stated that the petitioner submitted a letter to the Planning Department on November 11, 2002, asking to be taken off of the agenda. In addition his application was incomplete. He further stated that this was the third public hearing scheduled for the application. He asked the Planning Commission for direction on how to proceed.

Mr. Savidant presented a summary of the Planning Department report to the Planning Commission for Trainer's Obedience Center, noting that the site plan was incomplete. He also referenced a letter submitted by a neighbor who was in opposition to the proposed use.

PUBLIC HEARING OPENED

No public comment.

Mr. Littman stated that the Public Hearing should remain open through the next Regular Meeting.

RESOLUTION

Moved by Kramer

Seconded by Vleck

RESOLVED, that Special Use Approval and Preliminary Site Plan Approval, pursuant to Section 10.30.04 of the zoning ordinance, as requested for the Trainer's Obedience Center, for the proposed pet daycare operation, located on the east side of Troy Court and south of Park Street, Section 34, within the M-1 zoning district, is hereby tabled to provide the applicant with an opportunity to provide the Planning Department with the required information; and further, that the Public Hearing to remain open until the next Regular Meeting for public comment.

Yeas:

All present (7)

Nays:

Absent:

STREET VACATION REQUESTS

10. **PUBLIC HEARING – STREET VACATION REQUEST (SV-175) –** Larchwood and Eastport Streets, Abutting Lots 148-158, 165-175 Council Heights Sub. (for parcel consolidation of Robinwood Park), North of Maple, West of Rochester, Section 27 – R-1E

Mr. Savidant presented a summary of the Planning Department report to the Planning Commission for the street vacation request.

PUBLIC HEARING OPENED

Antoine Delaforterie, 1970 Kirkton Drive, lives on Lot 147 on Kirkton, which abuts the Larchwood paper street. He believes the street next to his lot was vacated in the past, however he still sees a public street on the map. He asked the city to clarify this on their maps.

Mr. Kramer asked Mr. Savidant to verify the status of this past vacation application.

William Heiner, 1998 Kirkton Drive, asked the Planning Department to update the maps.

PUBLIC HEARING CLOSED**RESOLUTION**

Moved by Kramer

Seconded by Waller

RESOLVED, that the Planning Commission hereby recommends to the City Council that the street vacation request for the Eastport Street right-of-way, which is 50 feet wide and approximately 835 feet in length, and the Larchwood Street right-of-way, which is 50 feet wide and approximately 435 feet in length, located within Robinwood Park in Section 27, be approved, subject to the City retaining a twenty (20) foot wide easement for the existing water line in Robinwood Park.

Yeas:

Nays:

Absent:

All present (7)

11. PUBLIC HEARING – STREET VACATION REQUEST (SV-178) – Lovell, Eckerman, and Barabeau Streets, Abutting Lots 12-31, Eyster's Suburban Home Sub. (for Woodside Bible Church / Northwyck P.U.D.), South of South Blvd., East of Rochester Rd., Section 2 – R-1D

Mr. Savidant presented a summary of the Planning Department report to the Planning Commission for the street vacation request.

There was general discussion of the application between the Planning Commission and the petitioner, Jim Jehle of Robertson Brothers, 6905 Telegraph Road, Bloomfield Hills.

PUBLIC HEARING OPENED

No public comment.

PUBLIC HEARING CLOSED

Mr. Waller asked whether the petitioner could vacate a portion of street that is not abutting their property.

Ms. Lancaster replied that the ownership of the vacated street would revert to the abutting property owner. In addition, all abutting property owners were notified of the application by mail.

RESOLUTION

Moved by Waller

Seconded by Wright

RESOLVED, that the Planning Commission hereby recommends to the City Council that the street vacation request for the Lovell Street right-of-way, which is 30 feet wide and approximately 2,182 feet in length, the Eckerman Street right-of-way, which is 60 feet wide and approximately 170 feet in length, and the Barabeau Street right-of-way, which is 60 feet wide and approximately 170 feet in length, abutting lots 12-31 in Eyster's Suburban Home Subdivision, located within Section 2, be approved, subject to providing proof of ownership for 6710 Eckerman Street (lot 16)

and applying for a wrecking permit for the house prior to final approval of the vacation request.

Yeas:

All present (7)

Nays:

Absent:

REZONING REQUEST

12. PUBLIC HEARING - PROPOSED REZONING (Z-685) – Empire Electronics World Headquarters, South of Maple and East of Livernois, Section 34 – B-2 to M-1

Mr. Savidant presented a summary of the Planning Department report to the Planning Commission for the rezoning request.

Mr. Kramer asked if it made sense to rezone the parcel given the fact that there was a detention basin located on the property.

Mr. Savidant replied that this was a rezoning application and not a site plan application. At this time the Planning Commission needed to determine whether the rezoning application was compatible with adjacent land use and zoning and consistent with the Future Land Use Plan.

Petitioner Jim Reb, 1801 Opdyke, Auburn Hills, stated that there is a storm water detention basin presently located on the property but has never had any storm water in it. It was designed as an overflow system to be used in the event that the existing systems in the area fill up. He proposes to construct a detention area in the south 80 feet of the property to serve future development on the property.

PUBLIC HEARING OPENED

No public comment.

PUBLIC HEARING CLOSED

RESOLUTION

Moved by Storrs

Seconded by Kramer

RESOLVED, that the Planning Commission hereby recommends to the City Council that the B-2 to M-1 rezoning request located on the south side of Maple Road and east of Livernois Road in Section 34, being 6.95 acres in size, be granted.

Yeas:

All present (7)

Nays:

Absent:

13. MOTION TO EXCUSE

Moved by Wright

Seconded by Starr

RESOLVED, to excuse absent Planning Commission members Chamberlain and Pennington.

Yeas:

All present (7)

Nays:Absent:14. ADJOURN

The Regular Meeting of the Planning Commission was adjourned at 10:10 p.m.

Respectfully submitted,

Mark F. Miller AICP/PCP
Planning Director